

REMARKS

Applicant requests reconsideration and further examination of this application.

Applicant has canceled the original claims, and added new claims in response to the Office Action.

The new claims recite the feature of Applicant's invention wherein the portable proximity sensor is placed near or within a personnel safety zone as defined in the description. The effect of the invention is to protect persons within the safety zone. This way, for example, workers are alerted to being near the safe limit of a zone (Fig. 1), or foreign objects intruding into the zone (Fig. 2).

The new claims also recite the negative limitations that the portable proximity sensor is not mounted to a mobile working machine nor fitted to a person, in order to distinguish from the prior art. Support for these negative limitations is in the Description at page 5, at the middle of the page.

Regarding the cited references:

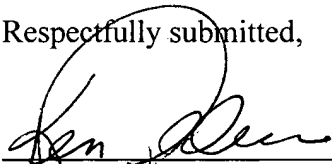
1. The UK Patent Application 2232800A discloses a portable intruder alarm device adapted to rest on top of a hanging picture frame or serve as a stand for a smaller framed picture. This reference then, does not disclose Applicant's claimed feature wherein the sensor is placed near or within a personnel safety zone. The personnel safety zone of Applicant is very different from the pictures of the UK reference which are sought to be protected from theft. Applicant, on the other hand, is interested in preserving instead human capital. Applicant's "safety zone" is described as: "a boundary of a hazardous (work) area" (page 6, 1st paragraph of the Detailed Description of the Invention); and "the boundary of a work area adjacent to a traffic area" (page 6, 2d paragraph of the Detailed Description of the Invention). Also, Applicant's "safety zone" is exemplified as "a stairway or sidewalk undergoing construction or repair" (page 6, 3d paragraph of the Detailed Description of the Invention); and, "at the intersection of two walkways, or a door or other entryway which opens immediately onto or into a work site" (page 7, 1st full paragraph). These safety zones are not disclosed nor suggested by the disclosure of the UK reference, which focuses only on protecting the pictures from theft.

2. The US Patent #5,457,394 (McEwan) discloses an impulse radar studfinder, which is clearly non-analogous art. This disclosed sensor also is not relevant to Applicant's claimed feature wherein the sensor is portably placed near or within a personnel safety zone as defined above. The personnel safety zone of Applicant is very different from the wallstuds of the McEwan reference. Therefore, Applicant's safety zone is also not suggested by the disclosure of the McEwan reference.

Therefore, Applicant's new claims are patentable over the cited references.

Applicant now believes the application is in condition for allowance and respectfully requests the same.

Respectfully submitted,

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